

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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ELDRICK PRESSLEY,

Plaintiff,

07-CV-3428 (CLB)

**ANSWER**

-against-

QUICKSILVER DEVELOPMENT CORP. and  
RICHARD SILVERMAN,

Defendants.  
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Defendants QUICKSILVER DEVELOPMENT CORP. ("Quicksilver") and  
RICHARD SILVERMAN, by their attorneys, Echtman & Etkind, LLP, for their answer to  
Plaintiff's Complaint, respectfully shows and alleges:

1. Deny each and every allegation set forth in paragraphs "1", "3", "4", "5", "6",  
and "7" of the Complaint, except admit that Quicksilver employed Plaintiff. In addition,  
Defendants decline to respond to the conclusions of law set forth in these paragraphs.
2. Deny each and every allegation set forth in paragraphs "8" and "9" of the  
Complaint.
3. Deny each and every allegation set forth in paragraph "10" of the Complaint,  
except admit that Quicksilver has records concerning the number of hours worked by Plaintiff  
and the compensation paid to Plaintiff.

**ANSWERING THE FIRST  
ALLEGED CAUSE OF ACTION**

4. Repeat and reallege the denials previously set forth in response to the

David\_Silverman\_Answer

allegations incorporated by reference in paragraph "11" of the Complaint.

5. Deny each and every allegation set forth in paragraph "12" of the Complaint, except admit that Plaintiff claims that, at times, he worked overtime. In addition, Defendants decline to respond to the conclusion of law set forth in this paragraph.

6. Deny each and every allegation set forth in paragraphs "13" and "14" of the Complaint.

**ANSWERING THE SECOND  
ALLEGED CAUSE OF ACTION**

7. Repeat and reallege the denials previously set forth in response to the allegations incorporated by reference in paragraph "15" of the Complaint.

8. Deny each and every allegation set forth in paragraph "16" and "20" of the Complaint, except admit that Quicksilver employed Plaintiff. In addition, Defendants decline to respond to the conclusions of law set forth in these paragraphs.

9. Deny each and every allegation set forth in paragraphs "17", "18" and "19" of the Complaint.

**AS AND FOR A FIRST AFFIRMATIVE DEFENSE**

10. The Complaint fails to state a cause of action upon which relief can be granted.

**AS AND FOR A SECOND AFFIRMATIVE DEFENSE**

11. The statute of limitation bars some of Plaintiff's claims.

**AS AND FOR A THIRD AFFIRMATIVE DEFENSE**

12. Upon information and belief, Plaintiff may have incorrectly and/or fraudulently filled out some of his time records.

WHEREFORE, Defendants demands judgment as follows:

- (a) Dismissing Plaintiff's Complaint,
- (b) Awarding Defendants their costs and disbursements in this action, including – if appropriate – their reasonable attorneys' fees; and
- (c) For such and other further relief as the Court deems just and proper.

Dated: New York, New York  
June 11, 2007

**ECHTMAN & ETKIND, LLP**  
Attorneys for Defendants

By: 

David Etkind (DE - 9805)

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